



09-15-04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ZELMAN, GARY MARTIN

Serial No. 10/763,967

Filed: 01/22/2004

Title: *Auxiliary Eyewear Attachment
Methods and Apparatus*

Examiner: Mai, Huy K.

Art Unit: 2873

Attorney Docket No. R0409-4078

AMENDMENT AND RESPONSE
TO OFFICE ACTION DATED 06/14/2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office action dated June 14, 2004, Applicant respectfully submits the following amendments and remarks.

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5 **Amendments to the Claims**

Please cancel claims 1-14 and add the following new claims.

15. (new) Apparatus for attaching auxiliary eyeglasses to conventional eyeglasses comprising: magnetic material on said auxiliary eyeglasses; said magnetic material capable of fitting below and mating with magnetic material on said conventional eyeglasses, whereby said
10 auxiliary eyeglasses are capable of being removably secured to conventional eyeglasses.

16. (new) Apparatus according to claim 15 including appendages on said conventional eyeglasses; said magnetic material on said auxiliary eyeglasses mounted on said appendages.

17. (new) Apparatus according to claim 16 including temple extensions on said
15 conventional eyeglasses; said magnetic material on said conventional eyeglasses being on said temple extensions.

18. (new) Apparatus according to claim 17 including sockets on said appendages; said magnetic material being mounted in said sockets on said appendages.

19. (new) Apparatus according to claim 18 including sockets on said temple
20 extensions; said magnetic material being mounted in said sockets on said temple extensions.

20. (new) Apparatus according to claim 19 in which said sockets on said appendages are cylindrical sockets.

21. (new) Apparatus according to claim 20 in which said sockets on said temple extensions are cylindrical sockets.

25 22. (new) Apparatus according to claim 21 in which said magnetic material on said appendages is a magnet mounted in each cylindrical socket.

5 23. (new) Apparatus according to claim 22 in which said magnetic material mounted on said temple extensions is a magnet mounted in each cylindrical socket.

 24. (new) Apparatus for attaching auxiliary eyeglasses to conventional eyeglasses comprising: temple extensions on said conventional eyeglasses having a first mating surface; appendages on said auxiliary eyeglasses having a second mating surface; and, said second
10 mating surface capable of being secured below said first mating surface by magnetic material whereby said auxiliary eyeglasses are capable of being removably secured to said conventional eyeglasses.

 25. (new) Apparatus for attaching auxiliary eyeglasses to conventional eyeglasses comprising: temple extensions on said conventional eyeglasses having first mating surfaces; appendages on said auxiliary eyeglasses having second mating surfaces; said second mating
15 surfaces capable of being mounted below said first mating surfaces by magnetic attraction whereby said auxiliary eyeglasses are capable of being removable secured to said conventional eyeglasses.

 26. (new) A method of attaching auxiliary eyeglasses to conventional eyeglasses
20 comprising: providing magnetic material on said auxiliary eyeglasses that is capable of fitting below and mating with magnetic material on said conventional eyeglasses; whereby said auxiliary eyeglasses are capable of being removably secured to said conventional eyeglasses.

 27. (new) Apparatus for attaching auxiliary eyeglasses to conventional eyeglasses comprising: temple extensions on said conventional eyeglasses having first sockets; appendages
25 on said auxiliary eyeglasses having second sockets; magnetic material on either said conventional eyeglasses or said auxiliary eyeglasses capable of mounting said second socket

5 below said first socket whereby said auxiliary eyeglasses are capable of being removably secured to said conventional eyeglasses.

28. (new) Apparatus for attaching auxiliary eyeglasses to conventional eyeglasses comprising: temple extensions on said conventional eyeglasses having first sockets; appendages on said auxiliary eyeglasses having second sockets; said second sockets capable of being
10 mounted below said first socket by magnetic attraction of magnetic material on at least one of said conventional eyeglasses or auxiliary eyeglasses whereby said auxiliary eyeglasses are capable of being removably secured to said conventional eyeglasses.

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Remarks

Applicant respectfully requests reconsideration of new claims 15-28 based on the above amendments and the Terminal Disclaimer filed herewith. If any additional fees are required for this amendment and response, the Commissioner is authorized to deduct the required amounts from deposit account no. 500703.

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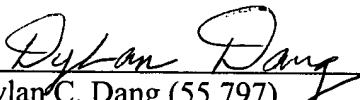
Respectfully Submitted,

TROJAN LAW OFFICES

By

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Dated: September 14, 2004


Dylan C. Dang (55,797)

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TROJAN LAW OFFICES
9250 Wilshire Blvd., Suite 325
Beverly Hills, CA 90212
Tel: (310) 777-8399
Fax: (310) 777-8348

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In re application of Gary Martin Zelman, Serial No. 10/763,967 (filed: 01/22/2004), entitled:
Auxiliary Eyewear Attachment Methods and Apparatus, Attorney Docket No. R0409-4078:

I hereby certify that the following:

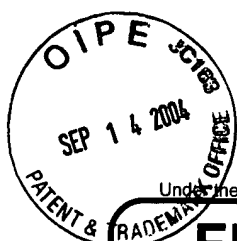
1. A Cover Letter (1 page)
2. Amendment and Response to Office Action Dated 06/14/2004 (5 pages)
3. Terminal Disclaimer, form PTO/SB/26 (1 page)
4. Fee Transmittal Form (1 Original/1 Copy);
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By: 
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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number	10/763,967
Filing Date	01/22/2004
First Named Inventor	ZELMAN, Gary Martin
Examiner Name	MAI, Huy K.
Art Unit	2873
Attorney Docket No.	R0409-4078

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number
Deposit Account Name

500703

TROJAN LAW OFFICES

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	420	2252	210	Extension for reply within second month
1253	950	2253	475	Extension for reply within third month
1254	1,480	2254	740	Extension for reply within fourth month
1255	2,010	2255	1,005	Extension for reply within fifth month
1401	330	2401	165	Notice of Appeal
1402	330	2402	165	Filing a brief in support of an appeal
1403	290	2403	145	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,330	2453	665	Petition to revive - unintentional
1501	1,330	2501	665	Utility issue fee (or reissue)
1502	480	2502	240	Design issue fee
1503	640	2503	320	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))
1801	770	2801	385	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application

Other fee (specify) Terminal Disclaimer

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

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SUBMITTED BY

Name (Print/Type) Dylan C. Dang

Registration No. 55,797
(Attorney/Agent)

(Complete if applicable)

Telephone 310-777-8399

Signature

Dylan Dang

Date

Sept. 14, 2004

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